

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9694 of 2016

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Uma Devi wife of late Amarnath Mandal Resident of Village- Jhitkia, PS
Bansnahi, District Saharsa.

.... Petitioner/s

Versus

1. The Secretary of the State Election Commission, Sone Bhawan, Bihar Patna.
2. The Commissioner, Koshi Division Saharsa
3. The District Election Officer-cum-District Magistrate, Saharsa.
4. The Sub-Divisional Electric Officer-cum-District Division Magistrate Sadar Saharsa.
5. The Returning Officer-cum-Block Development Officer, Sonbarsa Saharsa.
6. Braj Kishore Sharma Son of late Bhagwat Sharma Resident of Village- Agma, PS Basnahi, Distt Saharsa.

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Manoj Kumar Singh, Advocate
For the Respondent/s : Mr. Anjani Kumar, AAG-6
For the State E.C. : Mr. Amit Shrivastava, Advocate

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

3 04-07-2016

Counsel for the parties are present.

Learned counsel for the Commission raises a preliminary objection as regarding the maintainability of the writ petition *inter alia* on grounds that the election of the private respondent to the post of Mukhiya, Gram Panchayat Sarouni Madhepura in the District of Saharsa is put to question through the present writ petition *inter alia* on grounds that there has been irregularity in counting of votes.

The objection raised by learned counsel for the Commission is based on sound legal position. The remedy for the

petitioner for grievance raised is much available under the provisions of the Bihar Panchayat Raj Act, 2006 and the Bihar Panchayat Election Rules, 2006 framed thereunder. The petitioner can take recourse thereto. No cause for indulgence is made out.

The writ petition is disposed of.

(Jyoti Saran, J)

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